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little inspiring or inspired. Together they are of the highest significance and importance. For those who desire to understand as well as to know such a movement they are invaluable, the more so that, unlike too many such, they are wholly restrained and impartial. Neither is especially remarkable for literary merit or the lack of it. Each is well illustrated with pictures and maps, some of considerable historical or antiquarian value. That many scholars will prefer their own historical judgments on matters outside the direct line of the biographies proper may be evidenced by such assertions as that Whetham was like Monck, that the English navy still smarted from Raleigh's death as late as 1641, that Essex's army could not have been protected after its surrender, or that Clarendon's bitterness toward such men as Granville was not wholly justified. None the less such sound and serious attempts to set before us the careers of men like Whetham and Granville are deserving of praise and encouragement. For it is only by such work that we may ultimately come to comprehend such periods as that of the Puritan Revolution. It is to be hoped that the example thus set may be followed in many more cases, whether the motive be, as here, a proper family pride, or the more disinterested one of pure scholarship.

W. C. ABBOTT.

English Local Government from the Revolution to the Municipal Corporations Act: the Manor and the Borough. In two parts. By SIDNEY and BEATRICE WEBB. (London and New York: Longmans, Green and Company. 1908. Pp. viii, 404; vi, 405-858.)

THE present installment of Mr. and Mrs. Webb's great work on English local constitutional history maintains the very high rank of the initial volume, noticed in an earlier number of the REVIEW (April, 1907). Indeed no other book has ever given us so intimate an acquaintance with the institutional side of English social life. The very numerous and detailed marginal notes show that an enormous amount of original material has been thoroughly exploited. The achievement of the authors is especially praiseworthy, because of the amazingly complex and unsystematic character of English local custom and local organization. For this reason it has been found needful to treat in detail a large number of concrete examples or types and to examine a great variety of local records.

The first volume, corresponding to part I., comprises seven chapters of which the first four deal with the manor and the manorial borough. These organizations performed a vast number of governmental functions which in form were "exemptions from or exclusions of" the jurisdictions of the county and the parish. Chapter I., on the Lord's Court, sets forth the familiar "lawyer's view" of the various manorial courts, each with a separate constitution and jurisdiction. There is a

strong "tendency to elaboration". Besides the courts baron, customary, and leet, one authority (R. B. Fisher, 1794) makes out the existence of a "court of survey" and of a separate court for "view of frankpledge". But the court of survey was merely a special sitting of the court baron; while the view of frankpledge originally was a duty of the sheriff's turn and later of the lord's court leet. Moreover, for the period 1689-1835, the lord's court, as it actually existed, "differed widely from the lawyer's view of what it ought to have been". On many manors, in practice, there was but one court which, in a single undivided sitting, through one set of officers and one jury, without distinguishable order or precedence, "transacted all the business of the little community". In the majority of cases there was a single undifferentiated court. Although this court was in ruins, as revealed in the second chapter, its functions were still many and important. On thousands of manors it still had a large share in the business of local government. In particular it had the management of the "agricultural operations of the little community". In "nearly every manor there were common pastures; sometimes woods into which the tenants of the manor might send their pigs; sometimes valuable hay-meadows shared by lot or by primitive scramble; more frequently large open 'commons' of coarse herbage; and invariably roadside strips and odds and ends of unoccupied land forming part of the lord's waste." The administration of these common rights formed a part of the business of every manorial court. This fact ought to have a special interest for the student of American local institutions. Is it not probable that here we may find an explanation of the communistic customs of the old New England towns? In the first half of the sixteenth century, all over England, the lord's court was administering the common pastoral or agricultural rights of the tenants. May not a study of manorial rather than of parish customs and records disclose the true origin of the so-called "Germanic" usages of early colonial days?

The third chapter presents a most interesting account of the manorial borough. Under this name is embraced a "somewhat heterogeneous collection of local authorities . . . intermediate between the lord's court and the autonomous municipal corporation creating its own justices of the peace". These are the village meeting, having but slight connection with the manor; the chartered township; the lordless court; the lord's borough; the enfranchised manorial borough; and the borough whose government is shared "between a manorial court and one or more trade gilds". Examples of all these types are discussed in an enlightening way; while a separate chapter (the fourth) is devoted to the most anomalous of them all, the city and borough of Westminster.

Among the many facts of fresh interest with which these chapters are fairly packed, one is particularly impressed with the evidence presented of the manorial origin of many of the functions of the modern city. Such were the authority to suppress nuisances and the general

police power exercised by the lord's court. The characteristics of the English manorial boroughs are repeated in those of "fifty or sixty so-called boroughs in Wales", considered in the fifth chapter.

The interest of the reader of these important volumes culminates in the investigation of the municipal corporation, whose distinguishing mark is the creation of its own justices of the peace. To this subject the last third of the first volume and all of the second volume are devoted. For the first time, from an adequate consideration of the original sources, we have here a critical account of this most difficult and important part of English constitutional history. In succession, the instrument of incorporation, the corporate jurisdiction, the corporate obligations, the area of the corporation, the membership of the corporation, the servants of the corporation, the chief officers of the corporation, the head of the corporation, the bailiffs, the high steward and the recorder, the chamberlain and the town clerk, the mayor's brethren and the mayor's counsellors, the courts of the corporation, the courts of civil jurisdiction, the court leet, the borough court of quarter sessions, the courts of specialized jurisdiction, the administrative courts of the municipal corporation, and the municipal constitution of 1689, are carefully considered; while the whole of the seventh chapter deals with municipal disintegration during the eighteenth and nineteenth centuries.

Following this systematic and general analysis of the municipal constitution, 1689-1835, are three chapters devoted to the study of particular corporations. Thus the administration of the close corporations of Penzance, Leeds, Coventry, Bristol, Leicester and Liverpool is treated in chapter viii.; that of the so-called municipal democracies of Morpeth, Berwick-upon-Tweed, Norwich and Ipswich, in chapter ix.; and the city of London, in chapter x.—an important monograph in itself.

The book concludes with a vigorous estimate of the causes, character and consequences of the municipal revolution effected by the Act of 1835. It is remarkable that until the very eve of that revolution there was no general agitation for the reform of the antiquated municipal corporations. "In spite of the frequent applications to parliament made by the corporations themselves, we have not come across a single petition, from any person whatsoever, praying that the municipal constitution might be changed to an elective one." Only during the fifteen years preceding the appointment of the Royal Commission of 1833 did there exist any real popular movement for reform. Fundamentally this movement was the result of the industrial revolution. The borough constitution was out of harmony with the new economic and commercial needs of society. Moreover it was oppressive to the dissenter. More than was dreamed of at the moment, the municipal revolution threw power into the hands of the Whig nonconformists. "There never was such a coup", exclaims a writer in the *Creevey Papers*, "as this Municipal Reform Bill has turned out to be. It marshals all the middle classes

in all the towns of England in the ranks of Reform, aye and gives them monstrous power too. I consider it a much greater blow to Toryism than the Reform Bill [of 1832] itself."

The ready use of the mass of materials comprised in this excellent book is facilitated by an elaborate index of subjects, supplemented by separate indexes of persons and places.

GEORGE ELLIOTT HOWARD.

La Guerre de Sept Ans: Histoire Diplomatique et Militaire. Tome IV. *Torgau; Pacte de Famille.* Par RICHARD WADDINGTON. (Paris: Firmin-Didot et Cie. 1907. Pp. viii, 637.)

THIS new volume of M. Waddington's important work is devoted to the campaigns in eastern and western Germany from the spring of 1760 to that of 1761, to the futile negotiations between France and England during the same period, and to the successful negotiations between France and Spain which resulted in the Family Compact of 1761. The author's plan and methods are now too well known to need description; no deviation from them appears in this volume. The work is on the whole admirably done, and while no strikingly new conclusions are indicated the reader can scarcely help being inspired with strong confidence in M. Waddington's grasp of his material and in the constancy of his effort to deal objectively with it.

It does not seem necessary to repeat the strictures of the author's methods, made by the present reviewer in connection with earlier volumes; in a word, we have here a detailed military and diplomatic narrative of classical style, and the result will undoubtedly be appreciated, and deservedly, by many students. The present installment is divided almost evenly between war and diplomacy; naturally the civilian reader will be chiefly interested in the latter field, embracing as it does incidents of great interest—the fall of Pitt, the close allying of France and Spain, and the latter's entry into the war. The narrative is both lucid and agreeable, and seems to be less overladen with detail than earlier accounts of less important transactions. But there would seem also to be a serious omission in the failure to set forth political conditions in either France or England in such a way as to show us the springs of policy—*why* the policy of France was so mistaken, and *why* Pitt fell. That the author has no new conclusions to present on the former point is shown by his reproach of the French government for being satisfied “*se trainer à la remorque de l'alliance autrichienne, sacrifier l'essentiel, la conservation du domaine d'outre-mer, pour l'accessoire, l'acquisition de quelques cantons en Flandre*” (p. 392).

The treatment of English policy and of Pitt is more likely to evoke criticism, and the prevailing opinion will probably be that both that statesman and his country have fared rather hardly at M. Waddington's hands. It is rather extreme to represent the minister's haughtiness and